

PTO/SB/01 (6-95)

OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Rev. 6/95U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket Number 2727-102

First Named Inventor Cornelia Berghof

DECLARATION FOR
UTILITY OR DESIGN
PATENT APPLICATION

COMPLETE IF KNOWN

Application Number 09/508,238

Filing Date

Group Art Unit

Examiner Name

☐ Declaration OR
Submitted
with Initial Filing
 ☐ Declaration
Submitted after
Initial Filing

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Amino Acid Sequences and Method for Isolating
Bacteria from the Type Genus Pseudomonas"

(Title of the invention)

The specification of which

☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) 09/09/1998

as United States Application Number or PCT International

(USPN 09/508,238)

Application Number PCT/EP98/05738

and was amended on (MM/DD/YYYY)

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
197 39 611.9	Germany (DE)	09/09/1997	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.

Burden Hour Statement: This form is estimated to take 4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

DECLARATION						ADDITIONAL INVENTOR(S) Supplemental Sheet	
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name	Alexander	Middle Initial		Family Name	Gasch	Suffix	
Inventor's Signature	<i>Alexander Gasch</i>				Date	17.3.2000	
Residence: City	Berlin DE	State		Country	Germany	Citizenship	German
Post Office Address		Steegerstr. 71,					
Post Office Address							
City	Berlin	State		Zip	D-13359	Country	Germany
		Applicant Authority					
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name	Anja	Middle Initial		Family Name	Brauer	Suffix	
Inventor's Signature	<i>Anja Brauer</i>				Date	17.04.00	
Residence: City	Berlin DE	State		Country	Germany	Citizenship	German
Post Office Address		Residenzstr. 100,					
Post Office Address							
City	Berlin	State		Zip	D-13409	Country	Germany
		Applicant Authority					
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name	Cordt	Middle Initial		Family Name	Groenewald	Suffix	
Inventor's Signature	<i>Cordt Groenewald</i>				Date	10.04.00	
Residence: City	Berlin DE	State		Country	Germany	Citizenship	German
Post Office Address		Elberfelder Str. 12,					
Post Office Address							
City	Berlin	State		Zip	D-10555	Country	Germany
		Applicant Authority					
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name	Freimut	Middle Initial		Family Name	Wilborn	Suffix	
Inventor's Signature	<i>Freimut Wilborn</i>				Date	04.04.2000	
Residence: City	Berlin DE	State		Country	Germany	Citizenship	German
Post Office Address		Neue Kantstr. 9,					
Post Office Address							
City	Berlin	State		Zip	D-14057	Country	Germany
		Applicant Authority					
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheets attached hereto							

DECLARATION										ADDITIONAL INVENTOR(S) Supplemental Sheet																																							
Name of Additional Joint Inventor, if any:										A petition has been filed for this unsigned inventor																																							
Given Name		Middle Initial		Family Name		Suffix				Given Name		Middle Initial		Family Name		Suffix																																	
Arndt				Rolf																																													
Inventor's Signature										Date																																							
Residence: City										State										Country										Citizenship																			
Rostock										DEX										Germany										German																			
Post Office Address										Schroederstr. 39										G. Hauptmannstr. 8																													
Post Office Address																																																	
City										State										Zip										Country										Applicant Authority									
Rostock																				D-18055										Germany																			
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Page 1 of 2

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(d) AND 1.27 (c)) - SMALL BUSINESS CONCERN				Docket No. 2727-101	
Serial No. 09/508,238	Filing Date	Patent No.	Issue Date		
Applicant/ Patentee: <u>Cornelia Borchert, Alexander Garth, Anja Brauer, Cordt Groenewald, Frankurt Wilborn and Arndt Rolf</u>					
Invention: <u>"Amino Acid Sequences and Method for Isolating Bacteria from the Type Genus Pseudomonas"</u>					
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <u>Biotecma Gesellschaft fuer Biotechnologische Entwicklung und Consulting mbH</u></p> <p>ADDRESS OF CONCERN: <u>Tagelzer Weg 33, D-10589 Berlin, Germany</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input checked="" type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>					

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☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
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Small Business Concern	Nonprofit Organization
<p>1. Name of the business concern:</p> <p>2. Address of the business concern:</p> <p>3. City and State:</p> <p>4. Zip Code:</p> <p>5. Date of establishment:</p> <p>6. Number of employees:</p> <p>7. Type of business:</p> <p>8. Description of the business:</p> <p>9. Description of the products or services:</p> <p>10. Description of the market:</p> <p>11. Description of the competition:</p> <p>12. Description of the financial condition:</p> <p>13. Description of the management:</p> <p>14. Description of the history:</p> <p>15. Description of the future plans:</p>	<p>1. Name of the organization:</p> <p>2. Address of the organization:</p> <p>3. City and State:</p> <p>4. Zip Code:</p> <p>5. Date of establishment:</p> <p>6. Number of employees:</p> <p>7. Type of organization:</p> <p>8. Description of the organization:</p> <p>9. Description of the programs or services:</p> <p>10. Description of the market:</p> <p>11. Description of the competition:</p> <p>12. Description of the financial condition:</p> <p>13. Description of the management:</p> <p>14. Description of the history:</p> <p>15. Description of the future plans:</p>

☐ Institutional ☐ Small Business Concern ☐ Nonprofit Organization

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.26(b))

NAME OF PERSON SIGNING:

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

Tegelstr Weg 33
D-10589 Berlin
Germany

Stictia

SIGNATURE:

DATES

PATENTS ONLY PTO/PCT Rec'd 08 MAY 2000

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy there

1. Name of conveying party(ies):

Cornelia Berghof
Alexander Gasch
Anja Bracuer
Cordt Groenewald
Freimut Wilborn

Arndt Rolfs

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **April 26, 2000**

2. Name and address of receiving party(ies):

Name: **Biotecon Gesellschaft fuer Biotechnologische
Entwicklung und Consulting mbH**
Internal Address: _____

Street Address: **Tegeler Weg 33,**

D-10589 Berlin, Germany

City: _____ State: _____ ZIP: _____

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/508,238

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Ronald R. Santucci**

Internal Address: **Pitney, Hardin, Kipp & Szuch, LLP**

Street Address: **711 Third Avenue, 20th Floor**

City: **New York** State: **NY** ZIP: **10017**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

- ☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account
☒ Authorized to be charged to deposit account

8. Deposit account number:

501145 (Order No. 2727-102)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Ronald R. Santucci, Reg. No. 28,988

Name of Person Signing

Signature

May 8, 2000

Date

Total number of pages including cover sheet, attachments, and document: **2**

Express Mail No. EK052278585US

2727-102

A S S I G N M E N T

FOR ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we,

Cornelia Berghof, Alexander Gasch, Anja Brasauer,
Cordt Groenewald, Freimut Wilborn and Arndt Rolfs

being the inventors of certain improvements in

**AMINO ACID SEQUENCES AND METHOD FOR ISOLATING BACTERIES FROM
THE TYPE GENUS PSEUDOMONAS**

hereby assign unto Biotecon Gesellschaft fuer Biotechnologische Entwicklung und Consulting mbH, a corporation organized and existing under the laws of Germany and having a principal place of business at Tegeler Weg 33, D-10589 Berlin, Germany, the entire right, title and interest in and to such invention, together with the patent rights and rights of protection to the same throughout the world, including any patent rights which may result from the application for United States Letters Patent based upon PCT/EP98/05738 (USSN 09/508,238) which designates the United States and preparatory to obtaining Letters Patent of the United States therefor and in and to any and all divisions, reissues, continuations and extensions thereof and in and to any Letters Patent that may be granted thereon; said invention, application and Letters Patent to be held and enjoyed by the said assignee for its own use and behoof and for the use and behoof of its successors and assigns, to the full end of the term from which said Letters patent or other rights of protection may be granted, as fully and as entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

AND WE COVENANT, AGREE AND WARRANT that we have a full and unencumbered title to the invention hereby assigned, and we further covenant and agree that we will, at any time upon request, without further compensation, execute and deliver any and all papers or instruments that in the opinion of the assignee may be necessary or desirable to secure said assignee the full enjoyment of the rights and properties herein conveyed or intended to be conveyed.

IN WITNESS WHEREOF, we have hereto set our hand and seal this day of April, 2000.

Cornelia Berghof

Alexander Gasch

Anja Brasauer

Cordt Groenewald

Freimut Wilborn

Arndt Rolfs

Witness

Witness